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Paper No.

MOTOROLA, INC.  
CORPORATE LAW DEPARTMENT - #56-238  
3102 NORTH 56TH STREET  
PHOENIX, AZ 85018

**COPY MAILED**

JUL 15 2004

**OFFICE OF PETITIONS**

In re Application of :  
Harold Rosenstock, Richard Dykiel, :  
Richard Lagueux and Nehru Bhandaru : DECISION ACCORDING STATUS  
Application No. 10/676,948 : UNDER 37 CFR 1.47(a)  
Filed: September 30, 2003 :  
Attorney Docket No. IS01406MCG :  
Title: METHOD OF MIGRATING ACTIVE :  
GENERAL SERVICE MANAGER FUNCTION :  
:

This is a decision on the "PETITION UNDER 37 C.F.R. § 1.47(a)," filed May 3, 2004.

The petition is **GRANTED**.

The above-identified application was filed on September 30, 2003, with an unexecuted declaration. Accordingly, on March 19, 2004, a "Notice to File Missing Parts of Nonprovisional Application" was mailed, requiring an executed oath or declaration and a surcharge for its late filing.

In response, rule 47 applicants timely filed the instant petition (and fee); the late surcharge; and a declaration executed by joint inventors Rosenstock and Bhandaru on behalf of themselves and on behalf of non-signing joint inventors Dykiel and Lagueux. Rule 47 applicants maintain that status under 37 CFR 1.47 is proper because joint inventors Dykiel and Lagueux refuse to join in the application for patent.

By declaration of patent attorney Kevin Wills and Senior Administrative Assistant V. Lynn Webb, applicants have shown that the application papers were presented to the non-signing inventors, but they refused to join in the application. The petition includes copies of the postal records showing that the inventors refused delivery of the application papers. The petition also includes copies of email communications from each non-signing inventor stating that they would not join in the application. The petition includes a statement of the last known address of each of the non-signing inventors.

The declaration filed May 3, 2004, and the petition have been reviewed and found in compliance with 37 CFR 1.47(a).

This application is hereby accorded Rule 1.47(a) status.

As provided in new Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the

address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

The application will be examined in Technology Center 2183 in due course.

Telephone inquiries regarding this decision should be directed to the undersigned at (703) 305-0309.



Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions



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Paper No.

RICHARD LAGUEUX  
11 PINEWOOD RD  
HUDSON, NH 03051

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In re Application of  
Harold Rosenstock, Richard Dykiel,  
Richard Lagueux and Nehru Bhandaru  
Application No. 10/676,948  
Filed: September 30, 2003  
Attorney Docket No. IS01406MCG  
Title: METHOD OF MIGRATING ACTIVE  
GENERAL SERVICE MANAGER FUNCTION

LETTER

Dear Mr. Lagueux:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost per 37 CFR 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 CFR 1.63. However, no action on your part is required for this patent to issue with you as a named inventor.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Nancy Johnson at (703) 305-0309. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to the Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Nancy Johnson  
Senior Petitions Attorney  
Office of Petitions

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Paper No.

RICHARD DYKIEL  
29 ETHAN ALLEN DRIVE  
ACTON, MA 01720

In re Application of  
Harold Rosenstock, Richard Dykiel,  
Richard Lagueux and Nehru Bhandaru  
Application No. 10/676,948  
Filed: September 30, 2003  
Attorney Docket No. IS01406MCG  
Title: METHOD OF MIGRATING ACTIVE  
GENERAL SERVICE MANAGER FUNCTION

LETTER

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JUL 15 2004

OFFICE OF PETITIONS

Dear Mr. Dykiel:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 CFR 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

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